

Message Text

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ACTION STR-04

INFO OCT-01 EUR-12 IO-13 ISO-00 LAB-04 TRSE-00 OMB-01
COME-00 DODE-00 AGRE-00 FEA-01 CEA-01 CIAE-00
EB-08 FRB-03 H-01 INR-07 INT-05 L-03 NSAE-00
NSC-05 PA-01 AID-05 SS-15 ITC-01 USIA-06 PRS-01
SP-02 OPIC-03 /103 W
-----300717Z 031402 /20

R 291726Z MAR 77
FM USMISSION EC BRUSSELS
TO SECSTATE WASHDC 3390
INFO USMISSION OECD PARIS
USDEL MTN GENEVA
AMEMBASSY OTTAWA

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E. O. 11652: N/A
TAGS: EEC, ETRD, OECD
SUBJECT: GOVERNMENT PROCUREMENT

REF: (A) STATE 67171, (B) EC BRUSSELS 2654

1. MISSION OFFICER MET WITH DERISBOURG OF EC COMMISSION STAFF TO DISCUSS POINTS RAISED IN REF. A. DERISBOURG AGREED THAT BILATERAL TALKS ON THESE ISSUES WOULD BE GOOD IDEA PRIOR TO ANY MULTILATERAL DISCUSSION. THE COMMISSION, HOWEVER, HAS PROMISED MEMBER STATES TO DO ITS BEST TO GO BACK TO THE TCWP AND IT WILL RENEW THAT PROMISE AT THE APRIL 14, 113 COMMITTEE MEETING. DERISBOURG SAID IT WAS ALSO HIS UNDERSTANDING THAT THE CANADIANS WOULD REFUSE TO DISCUSS THEIR PAPER IN AN OECD CONTEXT, SO THAT THIS SUBJECT WOULD NOT FIGURE ON ANY TCWP AGENDA.

2. DERISBOURG PROMISED TO GIVE MISSION A COPY OF TRANSPARENCY PAPER ON APRIL 15, BUT FELT THAT MEMBER STATES

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SHOULD GET THE FIRST CRACK AT COMMISSION'S WORK IN THE 113 COMMITTEE MEETING.

3. DERISBOURG BLAMED GATT SECRETARIAT NOTICE (REF. A) ON THE SWISS. HE SAID THAT DURING THE COURSE OF AN INFORMAL MEETING WITH A HANDFUL OF DEVELOPED AND DEVELOPING COUNTRIES, WITH SECRETARIAT PRESENT, LDCS

SUGGESTED A POINT-BY-POINT DISCUSSION. SWISS DEL (ROSSIER) REPORTEDLY SPOKE UP IN FAVOR OF THIS AND SECRETARIAT MISTOOK THIS REACTION AS DC AGREEMENT. WHEN DERISBOURG CONFRONTED HIM AFTERWARDS, ROSSIER ARGUED THAT POINT-BY-POINT DISCUSSION EARLY IN EXERCISE WOULD BOTH UNDERLINE DC OPPOSITION TO A GENERALIZED PREFERENCE AND SHOW TO LDCS THE DIFFICULTY OF INCLUDING LDC DEMANDS ON INDIVIDUAL ITEM BASIS. DERISBOURG DOES NOT AGREE WITH THIS TACTIC AND REMAINS IN ACCORD WITH US POSITION THAT S AND D FOR LDCS CANNOT BE PROFITABLY ADDRESSED UNTIL THERE IS CLEARER DEFINITION OF CODE CONTENT.

5. NOTHING IN EC DIRECTIVE WOULD ALLOW ACTUAL BIDS BY TELEPHONE (REF. A, PARA. 4). STRUXIANO SAYS ALL MEMBER STATES ARE IN FAVOR OF PROHIBITING TELEPHONE BIDS, BUT CONFIRMATION OF THIS MUST AWAIT RESULTS OF 113 MEETING. DERISBOURG GAVE MISSION TEXT OF COMMISSION WORKING DOCUMENT ON TELEPHONE BIDS. TEXT PROPOSED BY COMMISSION FOR LAST PARA OF ARTICLE 20 IN DRAFT CODE IS AS FOLLOWS: QUOTE: BIDS PRESENTED BY TELEPHONE SHALL NOT BE PERMITTED. IF BIDS BY TELEX OR TELEGRAM ARE PERMITTED, THE BID MADE THEREBY MUST INCLUDE ALL THE INFORMATION NECESSARY FOR THE EVALUATION OF THE TENDER AS WELL AS A STATEMENT THAT THE BIDDER AGREES TO ALL THE TERMS, CONDITIONS AND PROVISIONS OF THE TENDER. THE BID MUST BE CONFIRMED BY A LETTER POSTED THE SAME DAY AS THE TELEX, TELEGRAM OR TELECOPY WAS MADE. REQUESTS TO PARTICIPATE MAY BE MADE UNDER THE SAME LIMITED OFFICIAL USE

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CONDITIONS AS FOR BIDS. UNQUOTE.

6. COMMENT: WE UNDERSTAND THAT MEMBER STATES REMAIN CONVINCED THAT GOVERNMENT PROCUREMENT IS A DEVELOPED COUNTRY EXERCISE. THEY HAVE NOT YET CONSIDERED HOW TO DEAL WITH LDC DEMANDS. THEREFORE, THE NINE BELIEVE THAT TCWP IS THE NATURAL VENUE FOR DISCUSSIONS, BOTH ON SUBSTANCE AND EVENTUALLY ON TREATMENT OF LDCS. DERISBOURG SEEMS INCLINED TOWARD THIS VIEW ALSO, BUT FEELS THAT FOR THE SAKE OF THE MTN EXERCISE AN EFFORT SHOULD ALSO BE MADE IN GENEVA. IN SUM, COMMISSION IS NOT SCRAMBLING TO PUT TOGETHER JUSTIFICATION FOR TCWP, BUT CLEARLY BELIEVES THAT WHEN SUBSTANTIVE GROUND IS PREPARED THROUGH BILATERAL AND MULTILATERAL CONTACTS, OECD WILL BE LOGICAL PLACE TO MEET FIRST. END COMMENT. HINTON

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Message Attributes

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Sent Date: 29-Mar-1977 12:00:00 am
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